

# APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. MAR 15 1990

Returned to applicant for correction.

Corrected application filed. Map filed MAR 15 1990 under 54536

The applicant Billy G. and Jerry L. Nelms

3244 Valley Forge Way of Sparks

Street and No. or P.O. Box No.

City or Town

Nevada 89431

State and Zip Code No.

hereby make... application for permission to change the point of diversion and place of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 30118, Certificate 10588

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

- The source of water is underground  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.01879 c.f.s. - 13.60 ac.ft.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, T.22N., R.20E.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
M.D.B.&M., or at a point which bears S. 08° 30' 00" E., a distance of 1,700' to  
distance to a section corner. If on unsurveyed land, it should be stated.  
the southeast corner of said Section 36.
- The existing permitted point of diversion is located within NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 16, T.22N., R.21E.,  
If point of diversion is not changed, do not answer.  
M.D.B.&M., or at a point from which the southwest corner of said Section 16  
bears S. 10° 56' 12" W., a distance of 4,079.29 feet.
- Proposed place of use NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, T.22N., R.20E., M.D.B.&M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use 18.61 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 9, T.22N., R.21E., M.D.B.&M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
0.28 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 9, T.22N., R.21E., M.D.B.&M.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
6.81 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 9, T.22N., R.21E., M.D.B.&M.  
25.70 Acres Total
- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pump and distribution  
State manner in which water is to be diverted, i.e. diversion structure,  
system to Place of Use.  
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$10,000.00
- Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Also see map filed in State Engineer's Office as "Exhibit Map supporting the conveyance of Water Rights by MCO Properties, Inc."

By s/ James P. Haddan  
JAMES P. HADDAN Agent  
 300 Hot Springs Road, #11  
 Carson City, Nevada 89706

Compared am/se am/se

Protested

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 30118, Certificate 10588 is issued subject to the terms and conditions imposed in said Permit 30118, Certificate 10588 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 54536, 54537 and 54538 shall not exceed 52.0 acre-feet annually.

The total combined acreage irrigated under Permits 54536, 54537 and 54538 is limited to 13.0 acres within the place of use as described.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.01879 cubic feet per second, but not to exceed 13.6 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before November 18, 1993

Proof of completion of work shall be filed before December 18, 1993

Application of water to beneficial use shall be made on or before November 18, 1996

Proof of the application of water to beneficial use shall be filed on or before December 18, 1996

Map in support of proof of beneficial use shall be filed on or before December 18, 1996

Completion of work filed

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed

office, this 30th day of December,

Cultural map filed

A.D. 1991

Certificate No. Issued

*[Signature]*  
 State Engineer

Abrogated by part 36934 0.0000  
part 58290 0.01379

Serial No. **54538**

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